IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY THIRD DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

WRIT PETITION NO : 9144 of 1993

Between:

1. M/s Bommana Saree Mandir, Tilak Road,Abids,Hyderabad

rep.by its Partner SriN.Venkateswara Rao

2. M/s Bommana Silk Kendra,Tilak Road, Abids,Hyd.

Rep.by its Partner Sri Nakkina Pattabhirama Rao

3. M/s Bommana Narayana & Co. Rajahmudnry,

rep.by its Proprietor Bommanna Ramachandra Rao

4. M/s Vichitra Silks & Sarees,Fort Gate,Rajahmundry,

rep.by its Manager, Sri Bommanna Ramachandra Rao

5. M/sBommana Rajkumar,Main Road, Rajahmundry,

Rep.by its Proprietor Sri Bommana Rajkumar.

6. M/s Bommana Jayakumar, Main Road, Rajahmundry,

rep.by its Power of Attorney Holder, B.Rajkumar

7. M/s Bommana Rajkumar & Co. Main Road,Rajahmundry.

Rep.by its Proprietor, Sri B.Rajkumar

8. M/s Pooja Silk Sarees,Main Road, Rajahmundry.

Rep.by its Mandate Holder Sri N.Satya Sreenivasa Rao.

9. M/s Sri Srinivasa Cutpieces Cloth Shop, Rajahmundry

Rep.by its Proprietor Sri B.Krishna Murthy.

10. M/s Bommana Krishna Murthy & Co. Rajahmundry

Rep.by its Manager, Sri B.Krishna Murthy.

11. M/s Bommana NarayanaSilk Kendra, Rajahmundry,

repby its Proprietor, Sri B.Narayana

12. M/s Bommana Satyarajkumar Textiles, Rajahmundry,

Rep.by its Proprietor, Sri B.Satya Rajkumar.

13. M/s Bommana Narayana & Sons

Bommana Durga Prasad Rao (HUF),Rajahmundry

Rep.by its Power of Attorney Holder B.Durga Prasad Rao

14. M/s Bommana, Rajahmundry, rep.by power of Attorney holder

Sri B.Durga Prasad Rao

15. M/s Kanchi Kamakshi Silk House GeneralBazar,Secunderabad

rep.by its Prop.G.Gowri(Minor) being minor guardian, father B.Durga Prasad

Rao

16. M/s Bommana Brothers Saree House, Secunderabad rep.by

its Prop. SriArvind Kumar by its power of attorney holder N.Veerabhadra

Kumar

17. M/s Bommana, Kothagudem, Khammam Dist.

Rep.by its Prop.Nagavijay Lakshmi by its power of attorney holder

B.Durga Prasada Rao

18. M/s Bommana Brothers, Jagadamba center,Visakhapatnam.

Rep.by its power of attorney holder B.Durga Prasada rao

19. M/s Bommana Exclusive, Jagamba center, Visakhapatnam

rep.by its Power of attorney holder Sri B.Durga Prasad Rao.

20. M/s Chandana Brothers, Besent Road, Vijayawada

rep.by its Partner Ch.Sunitha Kumari.

21. M/s Chandana Kanchi Sarees, fort GateRajahmundry.

Rep.by its Partner Chandana Mohan Rao

22. M/s Chandana Brothers Ladies, Jagamba center, Visakhapatnam

rep.by its Partner Chandana Subba Laxmi

23. M/s Chandana Kanchi Sarees House,Fort Gate, Rajahmundry

rep.by its Partner Chandana Subbalakshmi

24. M/s Chandana Brothers, Abids, Hyderabad

rep.by its partner Chandana Mohan Rao

25. M/s Chandana Brothers extension, Abids,Hyderabad

rep. By its partner, Sri Chandana Mohan Rao

26. M/s Ramachandra Cloth Traders,Tadi Totha,Rajahmundry,

rep.by its Proprietor, Chandana Ramesh

27. M/s Chandana Brothers, Rajahmundry

rep.by its Prop. Chandana Ramesh

28. M/s Ramachandra Textiles, M.G.Complex,Rajahmundry,

rep.by its Prop.Sri Ch.V.N.Anand

29. M/s Sri Ramachandra Cloth show room, Fortgate, Rajahmundry,

rep.by its prop. Smt Chandana Varalaxmi

30. M/s Chandana Brothers Gents, Tadi Thota, Rajahmundry

rep.by its Prop. Ch.V.V.Varalakshmi

31. M/s Sree Kanaka Mahalakshmi Silks, Kothi, Hyd.

Rep.by its Mandate Holder D.Venugopa

32. M/s Sree Kanaka Mahalakshmi Silks, Jagadamba Centre, Visakhapatnam,

rep.by its Prop. D.Krishna Murthy.

33. M/s Sree Lakshmi Silks, visakhapatnam, rep.by

its Partner D.Venugopal

34. M/s Silk Centre, visakhapatnam, rep.by its partner

D.Venugopal.

35. M/s State Express, visakhapatnam, rep.by its Prop.

D.Nagalaxmi.

36. M/s Laxmi Distributors, Secunderabad, rep.by its Prop.

D.Suresh Kumar.

37. M/s M.D.Creations, Visakhapatnam, rep.by its Prop.

D.Venugopal.

38. M/s Vaibhav, Kothi, Hyd. Rep.by its Managing Partner

D.Venugopal.

39. M/s Bommana Silk show Room, Hanumakonda, rep.by its

partner, N.Ravikumar

40. M/s Bommana Ladies & Gents Cloth Show Room,

Near Ghanta Stambham, Vijayanagaram, rep.by its

Partner, G.Veerabhadrudu

41. M/s Bommana Silk Centre, Rajahmundry,

rep.by its Prop. Smt B.Rama Suryam

42. M/s Bommana Gents show room,Rajahmundry

rep.by its Partner, Sri M.Venkateswara Rao

..... PETITIONERS

AND

1. The State of Andhra Pradesh

rep.by its Secretary Incharge Labour,

Secretariat, Hyderabad

2. The Commissioner of Labour, NSF Buildings,

Basheerbagh, Hyderabad

3. Ex Officio Principal Secretary to Govt.

Incharge Labour NSF Buildings, Basheerbagh,Hyd.

4. The Advisory Board, Under Minimum wages Act

Office of the Dy.Commissioner of Labour, Twin cities

Himyathnagar, Hyderabad.

5. The Union of India rep.by Secretary Incharge Labour,

New Delhi.

(R.5 is impleaded as per Court order dt 5.11.93 in WPMP14101/93)

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to call for records and declare that the provisions of Minimum Wages Act are not applicable to the petitioners and to declare the said impugned GO Ms.No.33 dated 6.3.1991 passed by the State Government as null, void and inoperative and to set aside and quash the same by issuing a writ of certiorari or Mandamus.

Counsel for the Petitioners:MR.A.KRISHNA MURTHY

Counsel for the Respondents 1 to 4: G.P. for Labour.

Counsel for the Respondent No.5: Mr.T.Surya Karan Reddy,

S.C. for C.G.

The Court made the following:

O R D E R :

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In view of the judgment dated 29-01-2004 passed by this Court in W.P.No.8049 of 1991 and batch, the present Writ Petition is liable to be dismissed.

Accordingly, the Writ Petition is dismissed. No costs.

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G. BIKSHAPATHY, J

Dated:23-09-2004

Ccm

To:

1. The Secretary Incharge Labour, the State of Andhra Pradesh

Secretariat, Hyderabad

2. The Commissioner of Labour, NSF Buildings,

Basheerbagh, Hyderabad

3. The Ex Officio Principal Secretary to Govt.

Incharge Labour NSF Buildings, Basheerbagh,Hyd.

4. The Advisory Board, Under Minimum wages Act

Office of the Dy.Commissioner of Labour, Twin cities

Himyathnagar, Hyderabad.

5. The Secretary Incharge Labour,the Union of India,

New Delhi.

6. 2 CCs to the G.P. for Labour, High Court Buildings,

A.P.Hyderabad(OUT)

7. 2 CD copies.